

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) Dwayne Urban 468622
(Name of Plaintiff) (Inmate Number)

H.R.Y.C.I.

po. box 9561, wilm, DE 19809
(Complete Address with zip code)

(2) Brian Smith 596768
(Name of Plaintiff) (Inmate Number)

H.R.Y.C.I.

po. box 9561 wilm, DE 19809
(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

Howard R. Young Correctional Institute
vs.

(1) H.R.Y.C.I. and staff

(2) medical committee

(3) mental health staffing
(Names of Defendants)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

08 - 260

(Case Number)

(to be assigned by U.S. District Court)

CIVIL COMPLAINT

• • Jury Trial Requested

2008 MAY -2 PM 2:33

FILED
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

Handwritten signature

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ••No

B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ••No

C. If your answer to "B" is Yes:

1. What steps did you take? We have filed a grievance before and
Nothing was done, Just broken promises
2. What was the result? Nothing

D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS (in order listed on the caption)

(1) Name of first defendant: Howard R. Young Correctional Inst/staff
Corrective

Employed as _____ at _____

Mailing address with zip code: 1301 E. 12th Street, Wilm DE, 19809

(2) Name of second defendant: Medical committee

Employed as Contractor at _____

Mailing address with zip code: 1301 E. 12th Street, Wilmington, DE, 19809

(3) Name of third defendant: Mental Health committee

Employed as Contractor at _____

Mailing address with zip code: 1301 E. 12th Street Wilm, DE 19809

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. prison overcrowding: 3 to 5 inmates per cell, Excessive Confinement
Locked down 65-1, No call buttons for medical or mental health
emergencies, Inadequate medical care, Inadequate Mental health Assist.
Inadequate exercise denial of exercise, Indoor, out door, Unsanitary
Facilities, cells, toilets Etc. Never cleaned, Inadequate ventilation/
vents filled with trash, too cold or hot, Food always cold small portion,
water discolored and unhealthy, Unsafe living Beds unsecure, very
sharp, No slide bars or ladders must climb toilet and desk
Inadequate Law library access, supplies, Inadequate visitation
Inadequate phone service, Inadequate Religion practices, Lack
of education, Inadequate Laundry: cloths have not been clean
since Jan, 08, Inadequate cleaning supplies: Numerous
biting spiders, mice, Etc. Cruel Unusual punishment
- 2.
- 3.

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. Wherefore, Duane Urban and Brian Smith prays for
Judgment in their favor and damages in their favor
Against all defendants in an amount sufficient to compensate
them for the pain and mental anguish suffered by H.R.Y.C. and
staffing/medical committee/mental health staff due to

2. deliberate Indifference and Intentional misconduct of
defendants, But in no event Less than \$10,000,000.00
ten million dollars, together with his attorneys, Fees, cost.
and such additional Relief as the court may
deem just and proper

3. _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 28 day of April, 2008.

Dwayne Hudson

(Signature of Plaintiff 1)

[Signature]

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

AUTHORIZATION

I, DUANE URBAN, Inmate number 468622, REQUEST AND AUTHORIZE THE H.R.Y.C.I. Howard R Young Correctional Institution holding me in custody TO SEND TO THE CLERK OF THE COURT OF CLAIMS CERTIFIED COPIES OF THE CORRECTIONAL FACILITY TRUST Fund Account STATMENT FOR THE PAST SIX MONTHS.

I FURTHER REQUEST AND AUTHORIZE H.R.Y.C.I. TO Forward MY FINANCIAL RECORDS FOR THE LAST 6 MONTHS

PLEASE SEND COPY TO;
CLERK
US district court
844 N. King STREET
Lock box 18
Wilm, DE, 19801

Duane Urban
DUANE urban
468622
H.R.Y.C.I.
P.O. box 9561
Wilm, DE. 19809